

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

CHELSEA L. DAVIS,

§

Plaintiff,

§

vs.

§

CASE NO. 4:13-cv-00514

SAMUEL F. BAXTER,

§

Defendant.

§

CONSENT TO MOTION TO DISMISS

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COMES NOW Defendant and files his Consent to Plaintiff's Motion to Dismiss as authorized by Federal Rule of Civil Procedure 41(a)(2).

I.
INTRODUCTION

1.1 Plaintiff sued Defendant in Cause No. 199-03395-2013 and styled *Chelsea L. Davis vs. Samuel F. Baxter*; in the 199th Judicial District Court, Collin County, Texas on August 27, 2013.

1.2 Defendant filed his Notice of Removal on September 9, 2013 removing Plaintiff's claims to federal court.

1.3 Plaintiff filed her Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 41(a)(2) on September 10, 2013.

II.
DEFENDANT'S CONSENT TO PLAINTIFF'S DISMISSAL

2.1 Defendant consents to Plaintiff's Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 41(1)(2).

2.2 Defendant, however, does not waive his right to compel or seek arbitration in the future.

Respectfully submitted,

ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.

By: /Ross Wells/

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served on the 16th day of September 2013 to the following via certified mail, return receipt requested:

Chelsea L. Davis
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/Ross Wells/